

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**MARYBELLE FAYAD, on behalf of
herself and all others similarly situated,**

Plaintiff,

v.

CITY OF PHILADELPHIA,

Defendant.

Case No. 2:23-cv-00032-JDW

ORDER

AND NOW, this 14th day of April, 2023, upon consideration of Defendant City of Philadelphia's Partial Motion To Dismiss Plaintiff's Complaint Pursuant To Rule 12(b)(6) (ECF No. 10), and for the reasons set forth in the accompanying Memorandum, it is

ORDERED that the Motion is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. The Motion is **GRANTED** with respect to Plaintiff Marybelle Fayad's FLSA claims that accrued prior to January 4, 2021, and those claims are **DISMISSED WITHOUT PREJUDICE**; and
2. The Motion is **DENIED** in all other respects.

BY THE COURT:

/s/ Joshua D. Wolson
JOSHUA D. WOLSON, J.